

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Sep 07, 2016**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

CESAR PEDROZA-CRUZ,

Defendant.

No. 2:16-CR-0110-SMJ-01

**ORDER GRANTING THE USAO'S  
MOTION TO DISMISS**

Before the Court, without oral argument, is the U.S. Attorney's Office's (USAO) Motion for Order of Dismissal Without Prejudice, ECF No. 36 and related Motion to Expedite, ECF No. 37. The USAO seeks the Court's leave to dismiss the Indictment, ECF No. 19, without prejudice as to Defendant Cesar Pedroza-Cruz pursuant to Federal Rule of Criminal Procedure 48(a). Having reviewed the pleadings filed in connection with the motion, the Court grants the USAO leave to dismiss the Indictment. The Court makes no judgment as to the merit or wisdom of this dismissal.

Accordingly, **IT IS HEREBY ORDERED:**

- 1. The USAO's Motion for Order of Dismissal Without Prejudice, ECF No. 36, is GRANTED.**

1       2.    The USAO's Motion to Expedite Hearing, **ECF No. 37** is  
2       **GRANTED.**


3       3.    The Indictment, **ECF No. 19**, is **DISMISSED WITHOUT**  
4       **PREJUDICE** as to Defendant Cesar Pedroza-Cruz.

5       4.    All hearings are **STRICKEN**, and all pending motions are **DENIED**  
6       **AS MOOT.**

7       5.    The U.S. Marshals Service is directed to **RELEASE** Defendant  
8       Cesar Pedroza-Cruz from its custody.

9       **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order  
10      and provide copies to all counsel, the U.S. Probation Office, and the U.S.  
11      Marshals Service.

12      **DATED** this 7th day of September 2016.

13                                 
14                               SALVADOR MENDOZA, JR.  
15                               United States District Judge